

**CITY OF SULPHUR SPRINGS, TEXAS  
SPECIAL MEETING OF THE  
CITY COUNCIL**

**JANUARY 8, 2019**

**7:00 p.m.**

Mayor John A. Sellers called the special meeting of the Sulphur Springs City Council to order at 7:00 p.m. The following council members and staff were present:

Mayor John A. Sellers  
Mayor Pro Tem Emily Glass  
Councilwoman Erica Armstrong  
Councilman Jimmy D. Lucas  
Councilman Norman Sanders  
Councilman Doug Moore

Absent: Councilman Freddie Taylor

Staff: Marc Maxwell, City Manager  
Gale Roberts, City Secretary  
Tory Niewiadomski, Community Development Director  
Lesa Smith, Finance Director  
Gordon Frazier, HR Director  
Jay Sanders, Director of Public Safety  
David James, Assistant Fire Marshal  
Tim Green, Chief Building Official  
Roger Feagley, Executive Director the SSHC EDC

**PLEDGE AND INVOCATION**

Mayor Sellers led in the pledge of allegiance to the United States Flag and the Pledge to the Texas Flag, and the invocation was led by Councilwoman Armstrong.

**PRESENTATIONS, PROCLAMATIONS, AND ANNOUNCEMENTS**

The first presentation was Chris Brown, Executive Director of the Ark-Tex Council of Governments. The Ark-Tex Council of Governments in this region began in 1969 and is comprised of nine (9) counties in Texas and one (1) in an Arkansas (Texarkana). They are involved in NETX Regional Alliance, Homeland Security, environmental issues, Section 8 Housing, Area Agency on Aging, SBA 504 loans, revolving loan funds, local economic development, rural transportation (TRAX), grants (such as the one we have

with Saputo and Ark-Tex), and many other areas with respect to our regional development. The nine Texas counties of the Ark-Tex Council of Governments are Bowie, Cass, Delta, Franklin, Hopkins, Lamar, Morris, Red River, and Titus. Mr. Brown went on to report about Interstate 30 and stated that by the year 2040 the truck traffic will be doubled in our areas. The Ark-Tex Council of Governments is an amazing resource and their website is [www.atcog.com](http://www.atcog.com).

The second presentation was David James, Assistant Fire Marshal of the City of Sulphur Springs, Texas. As of May 1, 2019, our ISO (Insurance Services Office) rating will be a Class 2 instead of a Class 4. The scale is 1 – 10, with 1 being the best and 10 being the worst. The ISO rating is comprised of four (4) primary categories of fire suppression – the Fire Department, emergency communications, water supply, and community risk reduction. One would have to travel as far as Tyler, Longview or Rockwall to find a community with this rating.

The third presentation was a proclamation on School Choice Week. It is as follows:

**WHEREAS**, all children in the City of Sulphur Springs should have access to the highest quality education possible; and

**WHEREAS**, the City of Sulphur Springs recognizes the important role that an effective education plays in preparing all students in the City of Sulphur Springs to be successful adults; and

**WHEREAS**, quality education is critically important to the economic vitality of the City of Sulphur Springs; and

**WHEREAS**, the City of Sulphur Springs is home to a multitude of high-quality public and nonpublic schools from which parents can choose for their children, in addition to families who educate their children in the home; and

**WHEREAS**, educational variety not only helps to diversify our economy, but also enhances the vibrancy of our community; and

**WHEREAS**, the City of Sulphur Springs has many high-quality teaching professionals in all types of school settings who are committed to educating our children; and

**WHEREAS**, School Choice Week is celebrated across the country by millions of students, parents, educators, schools and organizations to raise awareness of the need for effective educational options.

**NOW, THEREFORE I, JOHN A. SELLERS**, by virtue of the authority vested in me as Mayor, and on behalf of the City Council of the City of Sulphur Springs, Texas, do hereby proclaim the week of January 20 – 26, 2019 as

**“SCHOOL CHOICE WEEK”**

in the City of Sulphur Springs and urge all citizens to join with me in recognizing this observance.

**MANAGER’S REPORT**

**CROSTOWN TRAIL** - Construction continues on the Hopkins County Civic Center grounds. The Capital Construction division installed 200 linear feet of pathway and a retaining wall on the Civic Center grounds.

**SUNSET STREET** – We have been waiting for bids for the rock. They came in today. Now our grant writer will review the bids for compliance with the grant requirements. Once we approve the bids we will get started on the project.



**WASTEWATER TREATMENT PLANT**

- Phase 2 is well under way. The concrete structure of the first aeration basin is complete. Construction of the second aeration basin is progressing well. Once these basins are operational, the existing basins will be taken offline and they will be refitted with diffused aeration just like basins 1 & 2. Once all of this is completed our aeration capacity will be greatly enhanced. This is the heart of our wastewater treatment process.

**CONNALLY STREET** - Work on Connally Street will begin this month. The first phase will be new sewer mains.

**SUBSTANDARD STRUCTURES** - The Capital Construction Division has demolished the burned structure 917 Church Street. The city council ordered the structure demolished at the December 04, 2018 council meeting and set a deadline of 30 days. The deadline passed and the owner did not comply. The remaining debris will be removed by Wednesday afternoon.

The owner of the building at 200 Gilmer Street complied with the city council’s order to abate the dangerous condition of the east wall. Temporary bracing has been installed per

the structural engineer's design. We now await the owner's plan for a permanent solution. Staff plans to bring the issue back to the city council the February 05 council meeting to find the building substandard and to order the abatement of the substandard condition.

**CLAIMS** - We had 2 workers compensation claims in December one for a dog bite, and one for a cat bite. Neither incident resulted in lost time.

We received 2 claims relating to road hazards. They are both in TML's hands now.

Another claim for water damage resulting from a wastewater overflow in a residence has been submitted to TML.

**REVENUES AND EXPENDITURES** – Finance Director Lesa Smith will give a year-to-date report of revenues and expenditures.

Elsewhere around the city, employees:

- Responded to 190 fire/rescue calls including 4 structure fires and 1 vehicle fire.
- Performed 55 fire inspections and reviewed 55 pre-fire plans.
- Performed preventative maintenance on 68 fire hydrants.
- Made 8 street repairs following utility repairs.
- Repaired multiple potholes.
- Replaced 18 stop signs.
- Graded Pipeline Road...again.
- Installed 300 feet of sewer main and set 5 manholes on Highway 11 E\$ast.
- Processed 429 citations through municipal court.
- Responded to 180 animal control calls achieving an adoption rate of 55%.
- Made 8 felony arrests in the Special Crimes Unit.
- Made 74 arrests, wrote 429 citations, recorded 52 offenses and responded to 39 accidents on the Patrol Division.
- Repaired basketball lighting at Pacific Park.
- Closed on the sale of 50 acres in Ridgeway.
- Achieved a daily average total suspended solids reading at the wastewater treatment plant of less than 1 mg/L (0.83).
- Repaired 11 water main ruptures.
- Replaced 8 water meters.
- Unstopped 49 sewer mains.
- Repaired 4 sewer mains.
- Washed 78,000 feet of sewer mains.
- Flushed 33 dead-end water mains.
- Treated 127 million gallons of potable water.
- Conducted 40 building inspections, 25 electrical inspections, 20 plumbing inspections, 6 mechanical inspections and issued 22 building permits.
- Sold 1,465 gallons of AvGas and 9,243 gallons of JetA fuel.

- Checked out 2,352 items from and library and 744 eBooks.
- Applied wood sealer to Kids Kingdom.
- Trimmed lower limbs at Buford Park.
- Mulched leaves at Buford Park.

**DISCUSSION/ACTION ON THE CONSENT AGENDA**

Consider for approval the regular City Council meeting minutes of December 4, 2018 and the special City Council meeting minutes of December 15, 2018. There was no one to speak to the issue. Mayor Pro Tem Glass made a motion to approve the minutes as presented. Councilman Sanders seconded the motion and the vote was unanimous.

**The motion carried.**

**CONDUCT A PUBLIC HEARING FOR ANNEXATION OF AREA 1, GENERALLY REFERRED TO AS THE PIONEER BUSINESS PARK AND ADJACENT PROPERTIES**

Mayor Sellers opened the public hearing at 735PM.

Tim Dollison, 46 Pioneer Parkway, address the city council in opposition of the annexation of this area and had questions regarding the issue. There was no one else to speak to the issue.

Mayor Sellers closed the public hearing at 739PM.

**CONDUCT A PUBLIC HEARING FOR ANNEXATION OF AREA 2, GENERALLY REFERRED TO AS THE HERITAGE BUSINESS PARK AND ADJACENT PROPERTIES**

Mayor Sellers opened the public hearing at 739PM.

There was no one to speak to the issue.

Mayor Sellers closed the public hearing at 740PM.

**DISCUSSION/ACTION ON THE FIRST READING OF ORDINANCE NO. 2738, AMENDING THE CODE OF ORDINANCES OF THE CITY OF SULPHUR SPRINGS, TEXAS, CHAPTER 6, SECTION 6; CHAPTER 11, SETION 11-39; CHAPTER 12, SECTION 12-7(b); CHAPTER 15A, SECTION 15A-1; CHAPTER 15B, SECTION 15B-1; CHAPTER 15C-1; AND CHAPTER 19, SECTION 19-1 AND SECTION 19-1.2, UPDATING THE BUILDING CODES, ELECTRICAL CODE, AND THE PROPERTY MAINTENANCE CODE**

Community Development Director Niewiadomski and Building Official Green presented the staff report. This item adopts the current International Building Codes and the National Electrical Code along with the North Central Texas Council of Governments recommended amendments. There was no one else to speak to the issue. Mayor Pro Tem Glass moved to adopt the ordinance on the second and final reading. Councilman Sanders seconded the motion and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2739, AN ORDINANCE OF THE CITY OF SULPHUR SPRINGS, TEXAS, ADOPTING THE RECOMMENDATIONS OF THE 2018 CHARTER REVIEW COMMITTEE, APPROVING PROPOSED AMENDMENTS TO THE CITY OF SULPHUR SPRINGS, MAKING RECOMMENDATIONS FOR INCLUSION OF THE PROPOSED CHANGES TO THE OFFICIAL BALLOT OF THE UPCOMING MUNICIPAL ELECTION, MAKING FINDINGS IN SUPPORT THEREOF, AND OVERRULING ANY ORDINANCE IN CONFLICT HEREWITH**

Mr. McLeroy was not available to be present at this meeting. Mayor Sellers explained this was the first reading and Mr. McLeroy would be getting them the plain text for this item. City Manager Maxwell stated it was mostly an effort to clean up some of the items. There was a brief discussion regarding this issue. There was no one else to speak to the issue. Councilman Moore moved to approve the ordinance on first reading. Mayor Pro Tem Glass seconded the motion and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON AUTHORIZATION FOR CITY STAFF AND FINANCIAL ADVISOR TO BEGIN THE PROCESS OF ISSUING TAX NOTICE FOR THE PURCHASE OF CERTAIN EQUIPMENT AND VEHICLES THAT WERE APPROVED IN THE 2019 BUDGET**

Mark McLiney, SAMCO National Markets, Inc., presented the staff report with the timetable and information related to the issuance of notes to pay for equipment and vehicles as adopted in the 2019 budget. Action by the City Council is needed to authorize city staff and SAMCO to proceed with working on issuing tax notes for this purpose. There was a brief discussion. There was no one else to speak to the issue. Mayor Pro Tem Glass moved to authorize city staff and SAMCO to proceed with beginning the process. Councilman Sanders seconded the motion and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION TO CONSIDER REFUNDING SERIES 2009 CERTIFICATES OF OBLIGATION FOR INTEREST RATE SAVINGS AND AUTHORIZING CITY STAFF AND THE CITY'S FINANCIAL ADVISOR TO BEGIN WORK ON THE REFUNDING FOR PRESENTATION AT A FUTURE CITY COUNCIL MEETING**

Mark McLiney, SAMCO National Markets, Inc., presented the staff report which included the potential savings by refunding the city's outstanding Series 2019 Certificates of Obligations. Action by the City Council is needed to authorize city staff and SAMCO to proceed with working on refunding this debt obligation. There was a brief discussion regarding the issue. There was no one else to speak to the issue. Councilwoman Armstrong moved to authorize city staff and SAMCO to proceed with beginning the process. Councilman Sanders seconded the motion and the vote was unanimous.

**The motion carried.**

**DISCUSSION/ACTION ON BIDS AND AWARD OF CONTRACT FOR THE STREET IMPROVEMENT PLAN**

Community Development Director Niewiadomski presented the staff report. Staff had placed bids notices in the News Telegram and certified emails were also sent to inform prospective bidders. The work consists of furnishing all labor, materials, and equipment necessary for milling, hot mix asphaltic concrete (HMAC), and cement treatment of the sub grade (CTS) including mixing, adding cement, watering, compaction, final grading, and coating. The bids were as follows:

<b>BIDDER</b>	<b>TOTAL BID PRICE</b>
<b>Texana Land &amp; Asphalt</b>	\$840,517
<b>5W Contracting</b>	\$968,210
<b>RK Hall</b>	\$1,073,610
<b>Richard Drake</b>	\$1,102,837

Staff recommends accepting the bids and award the contract to Texana Land & Asphalt as the lowest qualified bidder. There was a brief discussion. There was no one else to speak to the issue. Mayor Pro Tem Glass moved to accept the bids and award the contract to Texana Land & Asphalt. Councilman Sanders seconded the motion and the vote was unanimous.

**The motion carried.**

**VISITORS AND PUBLIC FORUM**

None. However, the Mayor reminded everyone that Kids Kingdom would be closed for mulching January 9 and 10 but would reopen Friday.

**ADJOURN**

With all business complete the meeting was adjourned at 7:56 p.m.